



General Assembly

Substitute Bill No. 5432

February Session, 2012

* ____HB05432ED____042012____ *

AN ACT CONCERNING SCHOOL-BASED ARRESTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-220 of the 2012 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective July 1, 2013*):

4 (a) Each local or regional board of education shall maintain good
5 public elementary and secondary schools, implement the educational
6 interests of the state as defined in section 10-4a and provide such other
7 educational activities as in its judgment will best serve the interests of
8 the school district; provided any board of education may secure such
9 opportunities in another school district in accordance with provisions
10 of the general statutes and shall give all the children of the school
11 district as nearly equal advantages as may be practicable; shall provide
12 an appropriate learning environment for its students which includes
13 (1) adequate instructional books, supplies, materials, equipment,
14 staffing, facilities and technology, (2) equitable allocation of resources
15 among its schools, (3) proper maintenance of facilities, and (4) a safe
16 school setting; shall, in accordance with the provisions of subsection (f)
17 of this section, maintain records of allegations, investigations and
18 reports that a child has been abused or neglected by a school
19 employee, as defined in section 53a-65, employed by the local or
20 regional board of education; shall have charge of the schools of its

21 respective school district; shall make a continuing study of the need for
22 school facilities and of a long-term school building program and from
23 time to time make recommendations based on such study to the town;
24 shall adopt and implement an indoor air quality program that
25 provides for ongoing maintenance and facility reviews necessary for
26 the maintenance and improvement of the indoor air quality of its
27 facilities; shall adopt and implement a green cleaning program,
28 pursuant to section 10-231g, that provides for the procurement and use
29 of environmentally preferable cleaning products in school buildings
30 and facilities; on and after July 1, 2011, and triennially thereafter, shall
31 report to the Commissioner of Education on the condition of its
32 facilities and the action taken to implement its long-term school
33 building program, indoor air quality program and green cleaning
34 program, which report the Commissioner of Education shall use to
35 prepare a triennial report that said commissioner shall submit in
36 accordance with section 11-4a to the joint standing committee of the
37 General Assembly having cognizance of matters relating to education;
38 shall advise the Commissioner of Education of the relationship
39 between any individual school building project pursuant to chapter
40 173 and such long-term school building program; shall have the care,
41 maintenance and operation of buildings, lands, apparatus and other
42 property used for school purposes and at all times shall insure all such
43 buildings and all capital equipment contained therein against loss in
44 an amount not less than eighty per cent of replacement cost; shall
45 determine the number, age and qualifications of the pupils to be
46 admitted into each school; shall develop and implement a written plan
47 for minority staff recruitment for purposes of subdivision (3) of section
48 10-4a; shall employ and dismiss the teachers of the schools of such
49 district subject to the provisions of sections 10-151 and 10-158a; shall
50 designate the schools which shall be attended by the various children
51 within the school district; shall make such provisions as will enable
52 each child of school age residing in the district to attend some public
53 day school for the period required by law and provide for the
54 transportation of children wherever transportation is reasonable and
55 desirable, and for such purpose may make contracts covering periods

56 of not more than five years; shall adopt and implement a policy
57 regarding the role and responsibility of any sworn police officer of a
58 local law enforcement agency or a sworn officer of the Division of State
59 Police within the Department of Emergency Services and Public
60 Protection who has been assigned to any school pursuant to an
61 agreement between the local or regional board of education and the
62 chief of police of a local law enforcement agency or the commanding
63 officer of the Division of State Police; may place in an alternative
64 school program or other suitable educational program a pupil
65 enrolling in school who is nineteen years of age or older and cannot
66 acquire a sufficient number of credits for graduation by age twenty-
67 one; may arrange with the board of education of an adjacent town for
68 the instruction therein of such children as can attend school in such
69 adjacent town more conveniently; shall cause each child five years of
70 age and over and under eighteen years of age who is not a high school
71 graduate and is living in the school district to attend school in
72 accordance with the provisions of section 10-184, and shall perform all
73 acts required of it by the town or necessary to carry into effect the
74 powers and duties imposed by law.

75 (b) The board of education of each local or regional school district
76 shall, with the participation of parents, students, school administrators,
77 teachers, citizens, local elected officials and any other individuals or
78 groups such board shall deem appropriate, prepare a statement of
79 educational goals for such local or regional school district. The
80 statement of goals shall be consistent with state-wide goals pursuant to
81 subsection (c) of section 10-4. Each local or regional board of education
82 shall annually establish student objectives for the school year which
83 relate directly to the statement of educational goals prepared pursuant
84 to this subsection and which identify specific expectations for students
85 in terms of skills, knowledge and competence.

86 (c) Annually, each local and regional board of education shall
87 submit to the Commissioner of Education a strategic school profile
88 report for each school under its jurisdiction and for the school district
89 as a whole. The superintendent of each local and regional school

90 district shall present the profile report at the next regularly scheduled
91 public meeting of the board of education after each November first.
92 The profile report shall provide information on measures of (1) student
93 needs, (2) school resources, including technological resources and
94 utilization of such resources and infrastructure, (3) student and school
95 performance, including truancy and discipline, (4) the number of
96 students enrolled in an adult high school credit diploma program,
97 pursuant to section 10-69, operated by a local or regional board of
98 education or a regional educational service center, (5) equitable
99 allocation of resources among its schools, (6) reduction of racial, ethnic
100 and economic isolation, [and] (7) special education, and (8) for any
101 profile report prepared on or after July 1, 2014, school-based arrests.
102 For purposes of this subsection, measures of special education include
103 (A) special education identification rates by disability, (B) rates at
104 which special education students are exempted from mastery testing
105 pursuant to section 10-14q, (C) expenditures for special education,
106 including such expenditures as a percentage of total expenditures, (D)
107 achievement data for special education students, (E) rates at which
108 students identified as requiring special education are no longer
109 identified as requiring special education, (F) the availability of
110 supplemental educational services for students lacking basic
111 educational skills, (G) the amount of special education student
112 instructional time with nondisabled peers, (H) the number of students
113 placed out-of-district, and (I) the actions taken by the school district to
114 improve special education programs, as indicated by analyses of the
115 local data provided in subparagraphs (A) to (H), inclusive, of this
116 subdivision. The superintendent shall include in the narrative portion
117 of the report information about parental involvement and if the district
118 has taken measures to improve parental involvement, including, but
119 not limited to, employment of methods to engage parents in the
120 planning and improvement of school programs and methods to
121 increase support to parents working at home with their children on
122 learning activities. For purposes of this subsection, measures of
123 truancy include the type of data that is required to be collected by the
124 Department of Education regarding attendance and unexcused

absences in order for the department to comply with federal reporting requirements and the actions taken by the local or regional board of education to reduce truancy in the school district. Such truancy data shall be considered a public record for purposes of chapter 14. For purposes of this subsection, "school-based arrest" means an arrest of a student, who is enrolled in a school under the jurisdiction of the local or regional board of education preparing the strategic school profile report, on school property during the school day, or an arrest of such student at a school-sponsored activity conducted on or off school property. For purposes of this subsection, measures of school-based arrests shall include the number of arrests made annually at each school within the school district. The measures of school-based arrests shall be disaggregated by race, ethnicity, gender, age, whether the student is a recipient of special education services, whether the student is an English language learner, and the offenses for which the school-based arrests were made, provided any disaggregated measure that relates to the arrest of one to five students shall be reported through use of a symbol.

(d) Prior to January 1, 2008, and every five years thereafter, for every school building that is or has been constructed, extended, renovated or replaced on or after January 1, 2003, a local or regional board of education shall provide for a uniform inspection and evaluation program of the indoor air quality within such buildings, such as the Environmental Protection Agency's Indoor Air Quality Tools for Schools Program. The inspection and evaluation program shall include, but not be limited to, a review, inspection or evaluation of the following: (1) The heating, ventilation and air conditioning systems; (2) radon levels in the air; (3) potential for exposure to microbiological airborne particles, including, but not limited to, fungi, mold and bacteria; (4) chemical compounds of concern to indoor air quality including, but not limited to, volatile organic compounds; (5) the degree of pest infestation, including, but not limited to, insects and rodents; (6) the degree of pesticide usage; (7) the presence of and the plans for removal of any hazardous substances that are contained on

159 the list prepared pursuant to Section 302 of the federal Emergency
 160 Planning and Community Right-to-Know Act, 42 USC 9601 et seq.; (8)
 161 ventilation systems; (9) plumbing, including water distribution
 162 systems, drainage systems and fixtures; (10) moisture incursion; (11)
 163 the overall cleanliness of the facilities; (12) building structural
 164 elements, including, but not limited to, roofing, basements or slabs;
 165 (13) the use of space, particularly areas that were designed to be
 166 unoccupied; and (14) the provision of indoor air quality maintenance
 167 training for building staff. Local and regional boards of education
 168 conducting evaluations pursuant to this subsection shall make
 169 available for public inspection the results of the inspection and
 170 evaluation at a regularly scheduled board of education meeting and on
 171 the board's or each individual school's web site.

172 (e) Each local and regional board of education shall establish a
 173 school district curriculum committee. The committee shall
 174 recommend, develop, review and approve all curriculum for the local
 175 or regional school district.

176 (f) Each local and regional board of education shall maintain in a
 177 central location all records of allegations, investigations and reports
 178 that a child has been abused or neglected by a school employee, as
 179 defined in section 53a-65, employed by the local or regional board of
 180 education, conducted pursuant to sections 17a-101a to 17a-101d,
 181 inclusive, and section 17a-103. Such records shall include any reports
 182 made to the Department of Children and Families. The Department of
 183 Education shall have access to such records.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2013	10-220

JUD *Joint Favorable Subst.-LCO*

ED *Joint Favorable*

